

COMMON COUNCIL
COUNCIL CHAMBERS
MARCH 4, 2014

Mayor Kristen Brown called a regular meeting of the City Common Council to order at approximately 6:00 P.M. in the City Council Chambers.

I. Meeting Called to Order

- A. Opening Prayer was given by Pastor Patrick Galligar with St. Peter's Lutheran Church.
- B. Pledge of Allegiance was led by Mayor Brown.
- C. Roll Call was taken. Dascal Bunch, Ryan Brand, Frank Jerome, Frank Miller, Kenneth Whipker, and James Lienhoop were present. Tim Shuffett was absent.
- D. Councilor Jerome made a motion to approve the minutes as presented from the City Council meeting on February 18, 2014. Councilor Bunch seconded the motion. Motion passed by a vote of six (6) in favor and zero (0) opposed.

II. Unfinished Business Requiring Council Action

- A. Second Reading of an Ordinance entitled "ORDINANCE NO. 7, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.14 OF THE COLUMBUS CITY CODE, ANIMAL CARE SERVICES MANAGER." Police Chief Maddix and Deputy Chief Harry presented this ordinance. Deputy Chief Harry explained the ordinance would remove Animal Care Services from the control of the Police Department and place under a separate entity which would report to the Mayor. Deputy Chief Harry stated the most significant reason to take Animal Care Services from the Police Department was due to the amount of volunteers Animal Care Services utilizes. The Police Department is undergoing an accreditation process that would require all members including volunteers to meet the CALEA standards, which includes background investigations, citizens' academy, etc. The elimination of Animal Care Services from the Police Department's control will make the accreditation process much smoother. There were no comments from the public. Councilor Jerome made a motion to pass the second reading and adopt the ordinance. Councilor Brand seconded the motion. Motion passed by a unanimous vote.
- B. Second Reading of an Ordinance entitled "ORDINANCE NO. 8, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.50.010 OF THE COLUMBUS CITY CODE, BOARD OF WORKS POWERS AND DUTIES." Chief Maddix and Deputy Chief Harry presented this ordinance. Deputy Chief Harry reiterated that this is just to take the proper measures to remove the Animal Care Services from the Police Department control. No comments were made by the public. Councilor Bunch made a motion to pass the second reading and adopt the ordinance. Councilor Whipker seconded the motion. Motion passed by a unanimous vote.

- C. Second Reading of an Ordinance entitled "ORDINANCE NO. 9, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.54.020 OF THE COLUMBUS CITY CODE, ANIMAL CARE SERVICES COMMISSION, MEMBERSHIP." Chief Maddix and Deputy Chief Harry presented this ordinance. Deputy Chief Harry stated that this ordinance has been amended to add a member of the Police Department to the Animal Care Services Commission. Councilor Jerome asked if the ordinance needed to have the term limits stated in the ordinance. City Attorney, Jeff Logston stated that the terms could be added into the ordinance. The terms in the past have been four (4) year terms with staggered term end dates. Councilor Jerome made a motion to pass the second reading of the ordinance. Councilor Bunch seconded the motion. Councilor Jerome made a motion to amend the ordinance to add in the four (4) year term limits. Councilor Bunch seconded the motion. Motion to amend passed with a unanimous vote. Councilor Jerome made a motion to pass the amended ordinance. Councilor Brand seconded the motion. Motion passed unanimously.

III. New Business Requiring Council Action

- A. First Reading of an Ordinance entitled "ORDINANCE NO. _____, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "CD" (COMMERCIAL: DOWNTOWN CENTER) TO "CDc" (COMMERCIAL: DOWNTOWN CENTER WITH COMMITMENTS)." Jeff Bergman, Planning Director, presented the ordinance with a power point display. The City of Columbus, represented by Redevelopment Director Heather Pope, requested that the zoning designation of the property formerly occupied by the City power house and the Bartholomew County Senior Center located at 148 Lindsey Street, be amended to include a commitment limiting the future use of the property. The proposal would change the zoning on the property from CD (Commercial: Downtown Center) to CDc (Commercial: Downtown Center with commitments). The Columbus Plan Commission reviewed the rezoning of this property on February 12, 2014 and returned a favorable recommendation by a vote of nine (9) in favor and zero (0) opposed. Councilor Whipker asked if the rezoning of the property would reduce the value of the property. Jeff stated the Plan Commission doesn't really address the property values. He deferred the question to Heather Pope. She stated that the City had two (2) appraisals on the property. One appraiser said the value would not change because the highest and best use is retail or office space. The Mayor stated that the two appraisals came in at \$280,000 and \$470,000 with the zoning as is, with no restrictions, and no historical preservation requirements. The \$280,000 appraisal did not change the value with the conditional zoning. The other reduced the value from \$470,000 to \$350,000 with the restrictions. Councilor Brand asked what criteria the Plan Commission uses to determine the restriction on the zoning of a piece of property. Jeff replied that the plan commission primarily looks at the five (5) criteria that the state requires for rezoning issues. They include the comprehensive plan, the current conditions and the character of current structures and uses in the district, the most desirable use for which the land in each district is adapted, conservation of property values throughout the jurisdiction, and growth and development. He also stated that typically the Plan Commission sees where a private developer wants to rezone or up-zone a piece of property from agriculture to commercial. The primary circumstances the Plan Commission would intervene on the property use list is: 1) to prevent uses that are

incompatible with infrastructure in the area or 2) if there could be any negative impact on surrounding properties. Councilor Jerome asked why the conference center or data processing center was eliminated. Mayor Brown responded that the logic behind this was to make the property primarily retail as a public accommodation and for the public to enjoy, making it a magnet to draw tourists to the area. Councilor Whipker questioned if, under the current commitments, could the building be torn down. Heather stated that as it is right now the building could be bought and torn down. Mayor Brown stated that the idea would be to supplement this with an easement. This would require historic preservation of the exterior façade, not the interior since it has been modified since the original build. This would be enforced under Indiana Landmarks. Councilor Brand asked if the new owner could ever demolish the building with the preservation piece. Jeff Logston stated that with the Indiana Landmark preservation piece it would be restricted. He explained, as an example, there was a facility heavily damaged by fire and since it had historical preservation, the rebuild did not have to be an exact replica but had to resemble and preserve the original intent of the structure in the way it looked. The easement would protect the façade from being altered or extremely altered. Councilor Brand asked who could remove the preservation piece once it is placed on the property and if the City would have that ability. Jeff Logston stated that it would take Indiana Landmarks to remove the preservation piece. Councilor Jerome asked what happens if we can't find a buyer and as a protected landmark what can we do with the property. Much discussion followed. Councilor Miller asked what is the preservation step and is it contingent on the passage of this ordinance. Heather stated Richard McCoy is applying to the Indiana Landmark Association to have an easement placed on this property and it is not contingent to the passage of these conditions. Councilor Miller questioned if a list of conditional uses could be added to the ordinance. Jeff Bergman stated they could be added. Mayor Brown opened the meeting for public comment. Deb Perr asked Councilor Lienhoop to describe the historical tax credits an investor might realize. Councilor Lienhoop explained there are many factors and did not have that information available at the meeting. Tom Heller questioned how the elimination of a liquor store would affect the appraisal. He suggested an indoor/outdoor driving range. Discussion followed. Dave Jones stated he feels Jeff Bergman's plan is good and if this doesn't work, this issue can always be brought back before the Council. Councilor Miller explained he wants to feel confident that whoever purchases the property has a way to put the intended proposed type of business into the building. Councilor Whipker said there are two different issues: the way the building is zoned, and maintaining the dignity of the façade of the building. If you start limiting what will go in the building, you will limit the buyers. Heather Pope stated a plan is in place to put a river walk along the south side of the property by the river. Mayor said the property has the potential for something the community could be very proud of, which we could all benefit from, and would drive tourism. Councilor Lienhoop stated the types of usage listed under the zoning are changeable if necessary. Councilor Lienhoop made a motion to approve the first reading and place in proper channels. Councilor Jerome seconded the motion. Motion passed by a vote of five (5) in favor and one (1) opposed. Councilor Brand voted nay.

IV. Other Business

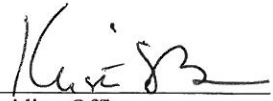
- A. Standing Committee and Liaison Reports. Councilor Jerome asked for a report on NuSun. Jeff Logston explained NuSun entered into a settlement agreement with the City and the deed for the property has been received. NuSun has failed to meet all of their responsibilities on the settlement agreement, so a release has not been issued.


Councilor Miller stated the Solid Waste District purchased a new truck for the cardboard recycling program. The committee is reviewing the process to see if curbside recycling could make the process more profitable and would save years off the life of the landfill.

- B. Discussion Items: Parking Study – Heather Pope, Redevelopment Director introduced Tom Dell, Chairman of the Downtown Parking Committee. Heather presented a review of parking recommendations from the recent parking study performed by Nelson/Nygaard Consulting Associates, Inc. Mayor recommended altering the original downtown parking committee by adding two members from the City Council, two members from the Redevelopment Commission, one member representing the downtown merchants, one member representing the downtown restaurants, and one member from Cummins. This committee would oversee all recommendations. Much discussion followed. Councilor Bunch and Councilor Jerome volunteered to serve on the committee.

- C. Next regular meeting is scheduled for **Tuesday, March 18, 2014 at 6:00 P.M. in City Hall.**

- D. Councilor Lienhoop made a motion for adjournment. Councilor Bunch seconded the motion. Motion passed with a unanimous vote. The meeting adjourned at approximately 8:10 P.M.


Presiding Officer

Attest:

Clerk Treasurer of City of Columbus